

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
MONROE DIVISION

ROBERT F. KENNEDY, JR. ET AL.,

CASE NO. 23-cv-0381 (CONSOLIDATED)
CIVIL ACTION NO. 22-cv-01213 (LEAD)

v.

JOSEPH R. BIDEN, ET AL.,

JUDGE: TERRY A. DOUGHTY
MAG. JUDGE: KAYLA D. McCLUSKY

[PROPOSED] ORDER ON MOTION FOR EXPEDITED
THIRD-PARTY PLATFORM DISCOVERY

Having considered the matter, and for good cause shown, this Court hereby GRANTS the *Kennedy* Plaintiffs' Motion for Expedited Third-Party Platform Discovery and leave of Court under Fed. R. Civ. P. 26(d)(1) and 45 is given to issue the subpoenas attached as Shelly Maturin Declaration Exhibit "A" to two third party search engine, video sharing and social media platforms Alphabet, Inc., as owner of Google/YouTube, and Meta Platforms, Inc., as owner of Facebook/Instagram.

The Court further adopts this schedule for third-party discovery consistent with its earlier order for expedited discovery in *Missouri v. Biden*, No. 3:22-cv-01213, 2022 U.S. Dist. LEXIS 131135 (W.D. La. July 12, 2022), specifically:

(1) Within five business days after this ruling, the *Kennedy* Plaintiffs may serve the approved subpoenas on Alphabet, Inc. as owner of Google/YouTube, and Meta Platforms, Inc., as owner of Facebook/Instagram, seeking their internal emails/texts, call notes, memoranda, and other internal writings and external communications with federal officials who have been or are

communicating with them about disinformation, misinformation, malinformation, and/or any censorship or suppression of speech on social media.

(2) Within thirty days of the *Kennedy* Plaintiffs' discovery requests, responses and/or objections shall be provided by the two recipient company-owners of the pertinent search engine, video sharing and social media Platforms, and any objections by the Federal Defendants other than to the taking or timing of the discovery itself.

(3) Within ten days following receipt of the objections and/or responses, the parties and third parties shall meet and confer in good faith about discovery disputes. A joint statement to the Court shall be submitted within five days thereafter detailing the nature of the remaining disputes, including the *Kennedy* Plaintiffs' response to any objections.

(4) Within seven days from the filing of that joint statement, the Court shall rule on any remaining objections.

(5) Within ten business days after that ruling, the two recipient company-owners of the pertinent search engine, video sharing and social media Platforms shall produce any and all additional authorized responses.

(6) Within twenty days of the lifting of the emergency stay in *Murthy v. Missouri*, 23-411, the parties in both consolidated cases shall conduct a Rule 26(f) conference and submit a proposed schedule for merits discovery, dispositive motions, and trial.

So ordered this _____ day of _____, 2024.

THE HONORABLE TERRY A. DOUGHTY
United States District Judge